

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
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Gangtok

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No. 643

**LEGAL, LEGISLATIVE & PARLIAMENTARY AFFAIRS DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK**

No: 74/Lok/Skm/2018

Dated: 26.10.2018

NOTIFICATION

In exercise of the powers conferred by Section 42 of the Sikkim Lokayukta Act, 2014 (6 of 2014), the State Government hereby makes the following rules to amend the Sikkim Lokayukta Rules, 2014, namely;

**Short title
extend and
commencement**

1. (1) These rules may be called the Sikkim Lokayukta (Amendment) Rules, 2018.
- (2) They shall extend to the whole of Sikkim;
- (3) They shall be deemed to have come into force on the 5th day of March, 2014.

**Substitution
of rule 13**

2. In the Sikkim Lokayukta Rules, 2014 (hereinafter referred to as the "said rules"), for the existing rule 13 and the entries relating thereto, the following rule and the entries shall be substituted, namely;-

**"13. Process
for extension
of term of
Chairperson
and Members:**

- (1) The term of a Member or both the Members and the Chairperson of the Lokayukta shall be extended by notification after according approval for extension:

Provided that in matter involving extension of the term of a Member of the Lokayukta, Sikkim, consultation with the Chairperson of the Lokayukta may be held if considered necessary:

Provided further that no process for extension of the term of a Member or the Chairperson shall be initiated unless a Member or the Chairperson has completed more than three years of service either as Member or as the Chairperson.

- (2) The extension of the term of a Member or the Chairperson of the Lokayukta shall be effective from the date following the date of expiry of the existing term of a Member or the Chairperson as the case may be.
- (3) Where approval has been accorded for extension of the term of a Member or the Chairperson, the notification may specify the date of commencement of the extended term and the date of expiry of the extended term.
- (4) Copies of the notification extending the term of a Member or the Chairperson shall be provided to the Members and the Chairperson. Upon receipt of the notification a Member or the Chairperson, as the case may be, whose term has been extended shall continue to perform his duties for the extended period of the term.
- (5) A Member or the Chairperson whose term has been extended shall however have the liberty to decline such extension or may request for shorter period of extended term and in such cases, the notification extending the term of a Member or the Chairperson may be either revised or withdrawn as the case may be. Where the extension has been declined, in such cases the State Government shall initiate the process for fresh appointment of a Member or the Chairperson as the case may be.

**Omission of
rule 14**

3. In the said rules, rule 14 and the entries relating thereto, shall be omitted.

Principal Secretary
Legal Legislative & Parliamentary Affairs Department